

U.S. DISTRICT COURT
District of New Hampshire

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

DEC 13 2005
FILED

Duncan J. McNeil, III

v.

Case No. 05-fp-433

United States, et al.

O R D E R

Duncan J. McNeill, III, a prisoner in the State of Washington, has filed a second complaint arising out of a bankruptcy court litigation in that state. His prior action here, Duncan J. McNeil, III v. United States, et al., No. 05-cv-224-SM, was dismissed as frivolous. He has had the same claims dismissed by over fifteen different federal courts and has been deemed a vexatious filer by several courts. His current complaint is frivolous both in content and in his attempt to sue several parties over whom this court has no jurisdiction.

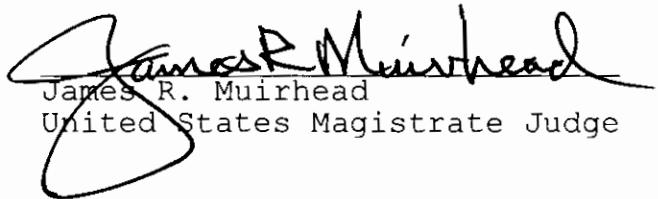
"Federal courts plainly possess discretionary powers to regulate the conduct of abusive litigants." Cok v. Fam. Ct. of R.I., 985 F.2d 32, 34 (1st Cir. 1993). Where a litigant has demonstrated a "propensity to file repeated suits . . . involving the same or similar claims" of a "frivolous or vexatious nature," a bar on further filings is appropriate. Castro v. United States, 775 F.2d 399, 409 (1st Cir. 1985) (per curiam).

I find that Duncan J. McNeil, III, is a vexatious litigant

who has abused his right of access to this court. He is enjoined from making further filings in the District of New Hampshire without prior leave of court. The Clerk of this court is directed to refuse to file on docket any complaint or petition by Duncan J. McNeil, III, without a prior order of this court.

The motion for in forma pauperis status is denied, and his purported complaint is rejected.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

December 13, 2005

cc: Duncan J. McNeil, III, pro se